

BENTON COUNTY PLANNING BOARD
Public Hearing Meeting Minutes
August 15, 2007, 5:30 p.m.

Call to Order & Roll Call: The following Benton County Planning Board members were present: Scott Borman, Mark Gray, Caleb Henry, Bill Kneebone, Tim Sorey, and Heath Ward. Adele Lucas was absent. The following Benton County Planning Office staff members were present: Ashley Pope and Kathleen Davis. Karen Stewart was absent.

Announcements:

Ms. Pope announced that the Board would need to elect a chairman and a vice-chairman and she suggested that an alternate be elected in case of absences. She then asked for nominations. Mr. Borman nominated Mr. Sorey; Mr. Ward seconded the nomination. Borman, Gray, Henry, Kneebone, and Ward voted in favor of the nomination and Mr. Sorey was elected chairman. Mr. Ward nominated Mr. Borman for vice-chairman; Mr. Gray seconded the nomination. Gray, Henry, Kneebone, and Ward voted in favor of the nomination and Mr. Borman was elected vice-chairman.

Mr. Borman nominated Mr. Kneebone as the alternate; Mr. Gray seconded the motion. Borman, Gray, Henry, and Ward voted in favor of the nomination and Mr. Kneebone was elected alternate chairman.

Ms. Pope clarified that Mr. Sorey is now the chairman of the Planning Board, Mr. Borman is the vice-chairman, and Mr. Kneebone is the alternate.

Ms. Pope announced that on the Wednesday of the Planning Board workshop (being held in the Quorum Court Room), refreshments would be served beginning at 8:30 a.m. and the workshop would begin at about 9 a.m. She stated that the Board would break for lunch and hopefully conclude the workshop by 4 p.m.

Old Business:

1. Large Scale Development - **B Brothers Enterprises** - Wagon Wheel Road, Springdale - Gray Rock Engineering

Phil Swope of Gray Rock Engineering represented the project.

Staff recommended approval of the project with the condition that the applicant improve one half of Twin Oaks Road for the length of the property.

Mr. Swope stated that the applicant had already been working with Mr. Caplener on this and that if the paving was not already done, it would be completed by the time the project is done.

There was no public comment on this project.

Mr. Kneebone made a motion to approve the project, subject to stipulations; Mr. Borman seconded the motion. Borman, Gray, Henry, Kneebone, Sorey, and Ward voted in favor of the motion; the motion was passed.

2. Large Scale Development - **Beaver Shores Wireless Communications Facility (Cell Tower)** - Cypress Lane, Rogers - Satterfield Land Surveyors

Dave Reynolds of Smith Communications represented the project.

Ms. Pope stated that the only outstanding item from TAC was that the applicant show the drive width and type on the plat, and the applicant had submitted a layout showing a gravel drive prior to the meeting.

There was no public comment on this project.

Ms. Pope pointed out that re-notification of adjacent property owners had not occurred, but review of the minutes from the July Public Hearing showed that it was not a stipulation. Mr. Sorey asked if it was clear from the meeting minutes that this project would be back before the Board in August. Ms. Pope stated that the item was tabled in July and that it was clear that the project would be back before the Board.

Mr. Kneebone asked if the applicant had submitted a letter from the manufacturer of the cell tower regarding the fall radius of the cell tower. Ms. Pope stated they had and that the maximum fall radius was about 90 feet.

Ms. Pope stated that Staff had received a letter in opposition to this project in July. Mr. Sorey asked if it was part of the last meeting's minutes; Ms. Pope stated that it was.

Mr. Ward made a motion to approve the project subject to any outstanding stipulations; Mr. Gray seconded the motion. The motion was unanimously passed.

New Business:

1. Preliminary and Final Plats - **Bailey Estates** - Bredehoeft Road, Decatur - James Surveying

Ms. Pope stated that Michael James was unable to attend the meeting due to a family emergency. She added that Mr. James had submitted everything that was requested, except for the utility plans from the City of Decatur. Staff would be willing to make submission of the utility plans a condition of approval.

Mr. Sorey clarified there was a waiver submitted for the preliminary and final plats to be done at the same time and a waiver for the length of the cul-de-sac; Ms. Pope agreed that these statements were true. Mr. Sorey stated that any motion made would have to include both of these waiver requests.

There was no public comment on this project.

Mr. Gray made a motion to grant the waiver for the preliminary and final plats to be approved at the same time; Mr. Borman seconded the motion. The motion was passed unanimously.

Mr. Borman made a motion to grant the waiver for the length of the cul-de-sac; Mr. Ward seconded the motion. The motion was passed unanimously.

Mr. Borman made a motion to approve Bailey Estates, subject to any outstanding stipulations; the motion was seconded... The motion was passed unanimously.

2. Large Scale Development - **Dayspring Restoration** - Meadowview Road, Siloam Springs - Dean Kerns

Dean Kerns represented this project.

Ms. Pope stated that this is a waiver request; the applicant is taking an office that used to be apartments and turning it back into apartments. She stated that Staff had recommended approval of the waiver of large scale development at the TAC meeting.

Mr. Ward made a motion to approve the waiver of large scale development; Mr. Borman seconded the motion.

Mr. Sorey held the motion and second and opened the matter for public comment. There was no public comment offered.

The motion was passed unanimously.

3. Preliminary Plat Time Extension - **Gayle Meadows** - Highway 12 West, Gentry - James Surveying

There was no representation for this project, since Michael James was unable to attend due to a family emergency.

Ms. Pope stated that this project is a subdivision that has been in progress for two years. It is nearly completed, but the preliminary plat is due to expire, so the applicant has requested a one-year time extension.

There was no public comment on the project.

Mr. Kneebone made a motion to approve the requested one year time extension; Mr. Ward seconded the motion. The motion was passed unanimously.

Other Business:

1. Large Scale Conceptual Plan - **Spring Creek Nursery** - North Airport Loop Road, Rogers - Sandcreek Engineering

Mr. Sorey excused himself from this part of the meeting; Mr. Borman took over as temporary chair.

Brian Sartain of Sandcreek Engineering represented the project. Mr. Sartain stated that this project is a proposed plant nursery on the northeast side of Rogers. He asked that the Board review the project to see if the proposed use is compatible with the site and asked for the Board's opinion.

Mr. Sartain stated that the main changes that the applicant made to the plans were to change the drives from 30-feet wide to 35-feet wide along the greenhouses and along the back of the property. He also stated that the snake's-head cul-de-sac was removed and replaced with two separate drives. This was done to allow more space for trucks and to give them room to back up.

Staff recommended that the applicant consider buffering between the project site and adjacent properties and to coordinate material types and lighting with the airport administration. Mr. Sartain stated that the applicant was not planning on increasing the lighting, but that they would coordinate with the airport.

Mr. Ward and Mr. Borman asked for clarification regarding whether the existing house would be used for offices space rather than residential; Mr. Sartain assured him that the house will be used for offices.

Ms. Pope stated that this conceptual plan remained on the agenda due to the notification of adjacent property owners; the applicant wanted to see if there would be any public comment. She stated that the only comment she had received in the Planning Office was over the phone. A representative from the airport expressed concern regarding the type of materials the applicant might be planning to use, especially if they are reflective. Reflective materials might impair the vision of pilots flying over the project site. The representative was also concerned about lighting that might affect pilots' vision.

Mr. Borman asked if the Board could simply require FAA approval or allow the airport to review the project. Ms. Pope stated that if the FAA would consent to review this project, that would be fine.

Mr. Borman stated that since the project is in the flight path, it should not be a problem for the FAA to review it.

Mr. Ward suggested asking the local airport board to review the proposed project, since the FAA review process can be lengthy.

Ms. Pope clarified that the Board could require the municipal airport board to review the project, rather than the FAA.

The Board discussed what further action it should take on this conceptual plan; Mr. Kneebone made a motion to approve the concept, subject to the outcome of the municipal airport board review.

Ms. Pope discouraged the Board from approving or disapproving anything, since this proposed project is presented only as a concept.

Mr. Sartain stated that the applicant merely wanted to bring this before the Board to see if there would be any problem with the site or the proposed use.

Ms. Pope stated that the Board did not seem to wish to formalize anything at this time, but allowed that the Board could express its sentiment regarding the project.

Staff would recommend approval of the project concept, subject to the condition that the municipal airport board approves the project.

Mr. Gray stated that, if the Board were voting on this project, he would vote in favor of it.

Mr. Ward stated that he did not see any major issues with the project and commended

Mr. Sartain on "doing his homework."

Mr. Kneebone rescinded his motion.

Mr. Borman opened the matter for public comment.

John Harris stated that he was notified of this proposed project, but he was unsure of the project location. Mr. Sartain answered Mr. Harris, and told him the project address.

Mr. Harris asked when he and the other adjoining property owners would be given further information regarding this project; Mr. Borman answered that it would likely become available once the applicant brought a large scale development plan before the Board.

Mr. Harris asked when that would take place; Mr. Borman stated that that is up to the developer and the owners.

Mr. Harris asked if the potential new owners would be buying the entire 10-acre parcel;

Mr. Sartain answered that they would be.

Ms. Pope informed Mr. Harris that he could look at Staff's file on the project either at this meeting or he could come to the Planning Office and look over the plans. Mr. Harris stated that he would look at the file right then.

Mr. Borman asked for any other public comment. There was none, and public comment was closed. Discussion on the project was closed. Mr. Sorey returned to the meeting.

Ms. Pope stated that she wanted to address the Board. She asked if the Board members had received the scope of work for the upcoming planning process and if they had had any opportunity to look it over; she also asked for any questions or comments.

She asked that the Board please review the scope of work and briefly reviewed a few elements in the scope of work.

Mr. Sorey asked if Staff wanted feedback on the scope of work before the meeting on Wednesday; Ms. Pope asked that the members simply be prepared for the meeting. She reiterated that the meeting would be on Wednesday in the Quorum Court room.

Mr. Borman stated that he had read through the scope of work and that he believed it was well laid-out. He feared that some of the committees would get bogged down, especially concerning land use.

Ms. Pope stated that she felt the Justices of the Peace should be included in the planning process; Mr. Borman agreed. Ms. Pope also stated that she hoped to have several public and quasi-public organizations, such as the water districts, involved in the planning process, as well. The Board agreed that it is important for the Justices of the Peace to be involved in this process; Ms. Pope stated that several of the JPs would be present at the workshop in Wednesday.

Adjournment

The meeting was adjourned at 6:05 p.m.